



09-CV-05271-CMP

FILED	LOGGED
RECEIVED	
MAY 07 2009	
CLERK U.S. DISTRICT COURT	
WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

**C09 5271** <sup>FDB</sup>

**Lawrence Hutt and Peggy Hutt**, husband and  
wife and their marital community,

Plaintiffs

versus

**Pierce County**, a political subdivision of the  
State of Washington;  
**Sarah Richardson**, individually and in her offi-  
cial capacity as a deputy prosecuting attorney;  
**Carl Hultman**, individually and in his official  
capacity as a deputy prosecuting attorney;  
**Bryan Chushcoff**, individually;  
**Rob Masko**, in his official capacity as Correc-  
tions Chief;  
**John Doe Clark badge #400**, individually and in  
his official capacity as a deputy sheriff;  
**John Doe Halsey badge #215**, individually and  
in his official capacity as a deputy sheriff;  
**Does 1-10**, Corrections employees, individually  
and in their official capacities;

Defendants

Case No. -

**COMPLAINT FOR DAMAGES for  
VIOLATION OF CIVIL RIGHTS  
42 U.S.C. § 1983, et seq**

*Plaintiffs allege as follows:*

**I. JURISDICTION**

1. Jurisdiction is conferred by federal statute, to wit, 42 USC §1983 and 28 USC §1331 and 28 USC §1343.

2. All Defendants are domiciled or physically situated within Pierce County in the State of Washington and conduct their business affairs therein.

**ORIGINAL**

*App filed / no summons*

II. VENUE

3. Venue is proper under Local Rules of the Western District of Washington.

III. PARTIES

4. Plaintiffs Lawrence Hutt and Peggy Hutt are husband and wife and both reside in Pierce County WA and their marital community claims domicile therein.

5. Defendant Pierce County is a political subdivision of the State of Washington.

6. Defendant Sarah Richardson is a deputy prosecuting attorney employed by Pierce County.

7. Defendant Carl Hultman is a deputy prosecuting attorney employed by Pierce County.

8. Defendant Bryan Chushcoff is a judge in Pierce County Superior Court Department 4.

6. Defendant Rob Masko is the Chief of the Pierce County Department of Corrections.

7. Defendant John Doe Clark, badge # 400, is a deputy sheriff employed by Pierce County.

8. Defendant John Doe Halsey, badge # 215, is a deputy sheriff employed by Pierce County.

10. Defendants Does 1-10 are corrections officers employed by Pierce County.

ALLEGED FACTS

11. On or about 1 February 2005, Defendant Sarah Richardson, purportedly in performance of her official duties as a Pierce County deputy prosecuting attorney, filed a petition in Pierce County Superior Court under cause number 05-3-00317-0.

12. On or about 8 February 2005, Defendant Richardson filed documents under said cause number alleging that Plaintiff Peggy Hutt (f/k/a Margaret Santiago) was in contempt of a court order. Also on or about 8 February 2005, Defendant Richardson obtained an ex parte order to show cause directed at Plaintiff Peggy Hutt to appear in Pierce County Superior Court to answer the alleged contempt of court order.

13. On or about 15 February 2005, a process server handed a stack of documents to Plaintiff Lawrence Hutt at the door of Plaintiffs' residence. **True copies of said documents are attached hereon and marked as Attachment A.**

14. Plaintiff Peggy Hutt responded to said legal documents by filing a Notice of Special Appearance which inter alia requested that the case be dismissed.

15. On the date of the hearing, attorney Stephen G. Smith appeared for Plaintiff Peggy Hutt.

16. The matter was continued without resolution.

17. After several similar hearings without resolution or action, the case was transferred to Pierce County Superior Court Department 4. At the time of the case transfer on 22 August 2005 and ongoing to the date of filing of this complaint, the judge of Department 4 was Defendant Bryan Chushcoff.

18. Subsequent to the case being assigned to Department 4, on or about 30 June 2006, Defendant Chushcoff signed an order of contempt and an order authorizing bench warrant against Plaintiff Peggy Hutt.

19. Immediately subsequent to Defendant Chushcoff signing said documents, Defendant Carl Hultman took the order authorizing bench warrant to the Pierce County Clerk's Office where he proceeded to obtain a bench warrant from a deputy clerk.

20. On or about 7 May 2007 at about 1:30 P.M., Defendants Clark and Halsey came to the Plaintiffs' apartment residence and knocked on the door.

21. Plaintiff Lawrence Hutt opened the door but did not immediately see Defendants Clark and Halsey, who had positioned themselves separately on each side of the door.

22. When Plaintiff Lawrence Hutt recognized Defendants Clark and Halsey as sheriff's deputies, Plaintiff stepped out of his apartment while pulling the door shut behind him.

23. Defendants Clark and Halsey immediately moved to prevent Plaintiff Lawrence Hutt from closing the door with one grabbing Plaintiff's hand and the other grabbing Plaintiff's arm.

24. By using their combined weight and simultaneously pulling on Plaintiff's arm, Defendants Clark and Halsey succeeded in forcing Plaintiff to release his grip on the door latch.

25. As soon as Plaintiff lost his grip on the door latch, one of the deputy sheriff Defendants entered the apartment while the other deputy sheriff Defendant continued to hold Plaintiff's forearm and block Plaintiff from entering the apartment.

26. At some point in time subsequent to the entry into the apartment, Plaintiff Peggy Hutt was escorted outside. Plaintiff Peggy Hutt was handcuffed behind her back. The deputy sheriff Defendant who was holding Plaintiff Lawrence Hutt released his grip on Plaintiff's forearm and both Defendants led Plaintiff Peggy Hutt down the outside steps towards the parking lot.

1 27. As Defendants Clark and Halsey were walking with Plaintiff Peggy Hutt across the com-  
2 mon area courtyard, Plaintiff Lawrence Hutt followed them.

3 28. When the two Defendants reached their vehicle, they assisted Plaintiff Peggy Hutt into  
4 the vehicle's rear seat.

5 29. Plaintiff Lawrence Hutt moved toward the vehicle to speak with Plaintiff Peggy Hutt.

6 30. Defendants Clark and Halsey told Plaintiff Lawrence Hutt to stay away from the vehicle  
7 or he would be arrested.

8 31. Defendants Clark and Halsey got into their vehicle and drove away.

9 32. Plaintiff Lawrence Hutt received a phone call from Plaintiff Peggy Hutt, who was calling  
10 from the booking area of the Pierce County Jail.

11 33. Plaintiff Peggy Hutt explained that there was some problem booking her as at least one  
12 employee had refused to process her into the facility. Plaintiff Peggy Hutt could not explain what  
13 the problem was.

14 34. Plaintiff Peggy Hutt was eventually booked into the jail facility by a Doe Defendant.

15 35. After booking was completed, Plaintiff Peggy Hutt was strip searched by a different Doe  
16 Defendant.

17 36. After the strip search, Plaintiff Peggy Hutt was provided with a jail jumpsuit and bedding  
18 and taken to a jail module where she was given a sleeping area assignment.

19 37. Five days after being booked into the jail, Plaintiff Peggy Hutt was handcuffed and taken to  
20 a courtroom where a Superior Court Commissioner set bail at \$750.00.

21 38. Plaintiff Lawrence Hutt attempted to post bail to secure the release from custody of  
22 Plaintiff Peggy Hutt.

23 39. Before Plaintiff Lawrence Hutt could post bail, Plaintiff Peggy Hutt was released.

24 40. On or about 22 June 2007, Defendant Hultman filed documents for another bench warrant  
25 to be issued for Plaintiff Peggy Hutt.

26 41. On or about 22 June 2007, Defendant Hultman presented said documents to Defendant  
27 Chushcoff in Pierce County Superior Court Department 4 who proceeded to sign an order to is-  
28 sue a bench warrant for the arrest of Plaintiff Peggy Hutt.

42. On or about 27 June 2007, Defendant Hultman presented the order to issue bench warrant to the Pierce County Clerk Office where a deputy clerk issued the bench warrant for the arrest of Plaintiff Peggy Hutt.

43. On or about 9 February 2009, Defendant Hultman appeared before a Pierce County superior court commissioner and requested that the bench warrant for the arrest of Plaintiff Peggy Hutt be quashed. The request was granted by the commissioner and the warrant was quashed.

44. The acts and omissions of the Defendants as alleged herein were done deliberately and in bad faith and in reckless disregard for the rights of Plaintiffs.

45. The acts and omissions of the Defendants as alleged herein were done in concert and co-operation of each of the Defendants with each and every one of the other Defendants, as a conspiracy intended to inflict harm upon the Plaintiffs who as a consequence were harmed.

46. The acts and omissions of the Defendants as alleged herein were done in violation of the laws of the State of Washington and were done in violation of the rights of Plaintiffs as guaranteed by the United States constitution.

47. At all times material herein, Defendants were operating under color of law and the acts or omissions of the Defendants were done in accordance with official policies or customs of the governmental agencies that employed Defendants.

**BASED ON THE ABOVE ALLEGATIONS, PLAINTIFFS MAKE  
THE FOLLOWING STATE TORT CLAIMS AGAINST DEFENDANTS:**

48. The acts and omissions stated herein constitute state tort claims against Defendants by Plaintiff Peggy Hutt for *false arrest, false imprisonment, and malicious prosecution*.

49. The acts and omissions stated herein constitute state tort claims against Defendants by Plaintiffs Lawrence Hutt and Peggy Hutt for *assault, battery, defamation, infliction of emotional distress (negligent), infliction of emotional distress (intentional), loss of consortium, and unlawful conversion*.

**BASED ON THE ABOVE ALLEGATIONS, PLAINTIFF MAKES THE  
FOLLOWING FEDERAL CLAIMS AGAINST DEFENDANTS:**

50. The acts and omissions stated herein constitute federal civil rights claims against each and all Defendants by Plaintiffs Lawrence Hutt and Peggy Hutt of *conspiracy to violate civil rights, including deprivation of constitutional rights under color of law under the Fourth, Fifth, Eighth, and Fourteenth Amendments to the United States constitution* pursuant to 42 U.S.C. § 1983 et seq.

**WHEREFORE, PLAINTIFFS DEMAND JUDGMENT AS FOLLOWS:**

51. On each federal claim pursuant to 42 U.S.C. §1983, against each and every Defendant, for any and all damages allowed by law in an amount to be proved at jury trial.

52. On each state tort claim, against each and every Defendant, for any and all damages allowed by law in an amount to be proved at jury trial.

53. For each claim merged into judgment which derives from Plaintiffs' federal claims to be awarded jointly and severally against Defendants, each and all of them.

54. For each claim merged into judgment which derives from Plaintiffs' state tort claims to be awarded jointly and severally against Defendants, each and all of them.

55. For Plaintiffs' litigation costs incurred in this action, according to law, and also for their reasonable attorney fees incurred in this action, pursuant to 42 U.S.C. §1988.

56. For such other relief, including injunctive relief, as the Court may deem to be just, proper, and equitable.

Date: 5/7/09

Lawrence Hutt

Lawrence Hutt, Plaintiff

Date: 5/7/09

Peggy Hutt

Peggy Hutt, Plaintiff

**ATTACHMENT**

**A**



05-3-00317-0 22605301 NTC 02-24-05

FILED  
IN COUNTY CLERK'S OFFICE

A.M. FEB 23 2005 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, COUNTY CLERK  
BY \_\_\_\_\_ DEPUTY

## PIERCE COUNTY SUPERIOR COURT, STATE OF WASHINGTON

STATE OF WASHINGTON, ex rel, et al,  
Petitioner

vs

Margaret A Santiago aka Peggy A Hutt,  
Respondent

NO:

05 3 00317 0

NOTE FOR COMMISSIONER'S CALENDAR

RM. 264  
COUNTY-CITY BLDG.  
930 TACOMA AVE S

TO THE CLERK OF THE COURT &amp; TO:

(List additional attorneys on reverse)

NAME: MARGARET A SANTIAGO  
ADDRESS: 10708 SOUTH A STREET #207ATTORNEY FOR: Pro Se  
WSBA #:

PARKLAND WA 98444

Please take notice that an issue of law in this case will be heard on the date below and the clerk is directed to note this issue on the appropriate calendar.

CALENDAR DATE APR 01 2005 at 1:30 PM.

NATURE OF MOTION: SHOW CAUSE RE: CONTEMPT

## SELECT ONE BOX BELOW

☐ (FC) Paternity (1:30) M,T,TH☐ (MO) Show Cause/Family Law  
9:30 M-F☒ (WW) Contempt (State)  
1:30 Wed & FriDATED: January 25, 2005  
NAME: Sarah E. Richardson  
ADDRESS: Family Support Division  
949 Court "E"  
Tacoma, WA 98402 (798-7444)  
Attorney for PetitionerSIGNED: Sarah Richardson  
WSBA 25084

IVD# 1693624

J

12021 2/9/2005 00119

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05-3-00317-0 22522841 ORTSC 02-09-05

FILED  
IN COUNTY CLERK'S OFFICE

FEB - 8 2005 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, COUNTY CLERK  
DEPUTY6  
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16**SUPERIOR COURT OF WASHINGTON  
COUNTY OF PIERCE**State of Washington on behalf of:  
Jose Cordero SantiagoNO: **05 3 00317 0**Petitioner  
vs.**ORDER TO SHOW CAUSE  
RE CONTEMPT  
(ORTSC)**Margaret A Santiago aka Peggy A Hutt  
MotherJose Antonio Santiago  
Father

Respondents

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28**IT IS ORDERED:**

Margaret A Santiago aka Peggy A Hutt shall appear in person before this court at the place and time below and show cause why the relief requested in the motion and declaration served with this order should not be granted.

**Date:** APR 01 2005**Time:** 1:30 PM**Place:** 930 TACOMA AVE S, COUNTY-CITY BUILDING, TACOMA WA**Room/Dept:** ROOM 264**IF YOU FAIL TO APPEAR IN PERSON AND DEFEND AT THESE PROCEEDINGS,  
THE COURT MAY GRANT ALL OF THE RELIEF REQUESTED AND/OR ISSUE A  
BENCH WARRANT FOR YOUR ARREST WITHOUT FUTHER NOTICE TO YOU.****YOUR FAILURE TO APPEAR AS SET FORTH AT THE TIME, DATE AND PLACE  
THEREOF WILL CAUSE THE COURT TO ISSUE A BENCH WARRANT FOR YOUR  
APPREHENSION AND CONFINEMENT IN JAIL UNTIL SUCH TIME AS THE  
MATTER CAN BE HEARD.**ORDER TO SHOW CAUSE RE CONTEMPT - 1  
WPF 4D 05.0150 (6/2002) - RCW 26.09.160  
IVD# 1693624Gerald A. Horne  
Pierce County Prosecuting Attorney's Office  
949 Court E  
Tacoma WA 98402-5616  
Family Support (253)798-7444  
(800)248-5130

12021 2/9/2005 00128

1 If imprisonment is requested in the motion and you cannot afford an attorney, you may request  
2 the court to appoint an attorney to represent you.

3  
4 DATED: 2/04/05 *[Signature]*  
5 JUDGE/COURT COMMISSIONER

6 Presented by:

7  
8 *[Signature]*  
9 Sarah E. Richardson  
10 Deputy Prosecuting Attorney  
11 WSBA No. 25084  
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FILED  
IN COUNTY CLERK'S OFFICE  
A.M. FEB - 8 2005 P.M.  
PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, COUNTY CLERK  
BY \_\_\_\_\_ DEPUTY

ORDER TO SHOW CAUSE RE CONTEMPT - 2  
WPF 4D 05.0150 (6/2002) - RCW 26.09.160  
IVD# 1693624

Gerald A. Horne  
Pierce County Prosecuting Attorney's Office  
949 Court E  
Tacoma WA 98402-5616  
Family Support (253)798-7444  
(800)248-5130



05-3-00317-0 22522642 MTSC 02-08-05

FILED  
IN COUNTY CLERK'S OFFICE

A.M. FEB - 8 2005 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, COUNTY CLERK  
BY                      DEPUTYSUPERIOR COURT OF WASHINGTON  
COUNTY OF PIERCEState of Washington on behalf of:  
Jose Cordero Santiago

NO: 05 3 00317 0

Petitioner  
vs.MOTION/DECLARATION FOR AN  
ORDER TO SHOW CAUSE RE  
CONTEMPT  
(MTSC)Margaret A Santiago aka Peggy A Hutt  
MotherJose Antonio Santiago  
Father

Respondents

## I. MOTION

The state moves the court for an order directing Margaret A Santiago aka Peggy A Hutt, to appear personally before the court and show cause why an order should not be entered:

## 1.1 FINDING CONTEMPT.

Finding contempt for failure to comply with:

<u>Type of Order</u>	<u>Date</u>	<u>County/State</u>
Order of Child Support	3/27/03	King County, WA

## 1.2 ESTABLISHING A JUDGMENT.

Establishing a judgment of \$200.00 for attorney's fees and costs.

## 1.3 GRANTING SANCTIONS.

Granting sanctions for contempt, including a forfeiture for each day the contempt of court

MOT/DECL/ORDER TO SHOW CAUSE RE CONTEMPT - 1  
WPF 4D 05.0100 (7/2003) - RCW 29.09.160; 26.18.040; 7.21  
IVD# 1693624Gerald A. Horne  
Pierce County Prosecuting Attorney's Office  
949 Court E  
Tacoma WA 98402-5616  
Family Support (253)798-7444  
(800)248-5130

continues, and establishing conditions by which the contempt may be purged and granting any other relief, including reasonable attorney fees and costs, and make up residential time, as may be appropriate under Chapter 7.21 RCW, Chapter 26.09 RCW, Chapter 26.10 RCW, Chapter 26.26 RCW, and RCW 26.18.040.

[X] Imprisonment is sought as a sanction.

1.4 OTHER:

This motion is based upon the declaration which follows and the debt calculation records of the Division of Child Support filed herein.

Dated: 1-25-05

Sarah E. Richardson  
Sarah E. Richardson  
WSBA # 25084

## II. DECLARATION

Margaret A Santiago aka Peggy A Hutt should be held in contempt for the following reasons:

Failure to comply with the provision of the child support order which directed payment of:

[X] Current support in the amount of \$25 per month beginning 12/1/02 to 12/1/03; then increasing to \$284.67 beginning 12/1/03.

[ ] Day care or special expenses/extraordinary costs/educational expenses or provide health insurance coverage as follows:

[ ] Other:

I declare under penalty of perjury under the laws of the State of Washington that the statement above is true and correct.

Signed at Tacoma, Washington on 1-25-05

Sarah E. Richardson  
Sarah E. Richardson  
WSBA # 25084



05-3-00317-0 22522639 DCFD 02-08-05

FILED  
IN COUNTY CLERK'S OFFICE

FEB - 8 2005 P.M.

PIERCE COUNTY, WASHINGTON  
KEVIN STOCK, COUNTY CLERK  
BY                      DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

STATE OF WASHINGTON, ex rel et al. )  
Petitioner )

vs. )

Margaret A. Santiago aka )  
Respondent )Peggy A. Hutt )NO: 05 3 00317 0DECLARATION REGARDING  
FILING OF DOCUMENTS  
(NPF)The attached document(s) were submitted by a party, and/or are  
filed at the direction of the Court Commissioner.

A. Debt Calculation

B. Case Payment Screen

C. Employment Security/Income Screen

D. \_\_\_\_\_

E. \_\_\_\_\_

F. \_\_\_\_\_

Dated: JAN 31 2005Marilyn S. Curry  
MARILYN S. CURRY  
PARALEGAL 2DECLARATION RE DOCUMENTS  
Page - 1Office of the Prosecuting Attorney  
949 Court E  
Tacoma, Washington 98402-5616  
Family Support (253) 798-7444  
(800) 248-5130

12021 2/9/2005 00116

State of Washington-  
Division of Child Support

## Debt Calculation

12/16/2004 10:11:16 AM

IV-D Case #: 1693624

NCP: SANTIAGO, MARGARET A

CP: SANTIAGO, JOSE ANTONIO

RSEO: 3719 - N. SWENSON  
Tacoma DCS  
PO Box 11520  
Tacoma, WA 98411-5520  
(253) 597-3700 / 1-800-345-9976

Comment:

Per Agreed Order 3/27/03

Month	Order Amount	Amount Paid	Monthly Debt	Running Balance
** Temporary Order # 96-3-05836-3KNT filed 12/20/02 is superceded by Agreed				
** Order filed 3/27/03. Agreed Order set support effective 12/1/02 at				
** \$25.00 per month for the next 12 months. After 12/1/03, the support				
** transfer payment shall be \$284.67 per month.				
Dec 2002	25.00	0.00	25.00	25.00
Jan 2003	25.00	0.00	25.00	50.00
Feb 2003	25.00	0.00	25.00	75.00
Mar 2003	25.00	0.00	25.00	100.00
Apr 2003	25.00	0.00	25.00	125.00
May 2003	25.00	0.00	25.00	150.00
Jun 2003	25.00	0.00	25.00	175.00
Jul 2003	25.00	0.00	25.00	200.00
Aug 2003	25.00	0.00	25.00	225.00
Sep 2003	25.00	0.00	25.00	250.00
Oct 2003	25.00	0.00	25.00	275.00
Nov 2003	25.00	0.00	25.00	300.00
Dec 2003	284.67	0.00	284.67	584.67
Jan 2004	284.67	0.00	284.67	869.34
Feb 2004	284.67	0.00	284.67	1,154.01
Mar 2004	284.67	0.00	284.67	1,438.68
Apr 2004	284.67	0.00	284.67	1,723.35
May 2004	284.67	0.00	284.67	2,008.02
Jun 2004	284.67	0.00	284.67	2,292.69
Jul 2004	284.67	54.21	230.46	2,523.15

1  
2 3.10 INCREMENTAL PAYMENTS.

3 Does not apply.

4 3.11 HOW SUPPORT PAYMENTS SHALL BE MADE.

5 Enforcement and Collection:

6 The Division of Child Support provides support enforcement services for this  
7 case. Support payments shall be made to:

8 Washington State Support Registry  
9 P. O. Box 45868  
10 Olympia, WA 98504  
11 Phone: 1-800-922-4306 or 1-800-442-5437

12 A party required to make payments to the Washington State Support Registry  
13 will not receive credit for a payment made to any other party or entity. The obligor  
14 parent shall keep the registry informed whether he or she has access to health  
15 insurance coverage at reasonable cost and, if so, to provide the health insurance  
16 policy information.

17 3.12 WAGE WITHHOLDING ACTION

18 Withholding action may be taken against wages, earnings, assets, or benefits,  
19 and liens enforced against real and personal property under the child support  
20 statutes of this or any other state, without further notice to the obligor parent at  
21 any time after entry of this order unless an alternative provision is made below:  
22 None

23 3.13 TERMINATION OF SUPPORT.

24 Support shall be paid until the child is 18 or has graduated from high school,  
25 whichever occurs last.

3.14 POST SECONDARY EDUCATIONAL SUPPORT.

Does not apply.

ORDER OF CHILD SUPPORT - Page 5 of 8  
WPF DR 01.0500 (9/01), RCW 26.09.175; 26.26.132(5)

LORETTA M. FIORI, INC., P.S.  
A PROFESSIONAL LAW SERVICE CORPORATION  
3204 AUBURN WAY N.  
AUBURN, WASHINGTON 98002  
(253) 735-3400 FAX: (253) 735-2845

1  
2 **3.15 PAYMENT FOR EXPENSES NOT INCLUDED IN THE TRANSFER PAYMENT.**

3 The mother shall pay 100% of the cost of supervised visitation.

4 **3.16 PERIODIC ADJUSTMENT.**

5 This order may be adjusted if the mother obtains actual employment,  
6 if the mother obtains proof that she is physically unable to work, and if  
7 the mother does not obtain the necessary services as required in the  
8 parenting plan. Additionally, this order may be adjusted as to the  
9 mothers income if she is able to show that she is unable to earn the  
amount imputed to her.

10 **3.17 INCOME TAX EXEMPTIONS.**

11 Tax exemptions for the children shall be allocated to the father.

12 The parents shall sign the federal income tax dependency exemption waiver.

13 **3.18 MEDICAL INSURANCE FOR THE CHILDREN LISTED IN PARAGRAPH 3.1.**

14 Unless one or more of the boxes below are checked, each parent shall  
15 maintain or provide health insurance coverage if:

16 (a) Coverage that can be extended to cover the children is or  
17 becomes available to each parent through employment or is union-related;  
18 and

19 (b) The cost of such coverage for the mother does not exceed 25  
20 percent of mother's basic child support obligation on Worksheet Line 7, and  
21 the cost of such coverage for the father does not exceed 25 percent of  
father's basic child support obligation on Worksheet Line 7.

22 The parent(s) shall maintain health insurance coverage, if available for the  
23 children listed in paragraph 3.1, until further order of the court or until health  
24 insurance is no longer available through the parents' employer or union and no  
conversion privileges exist to continue coverage following termination of

25 *ORDER OF CHILD SUPPORT - Page 6 of 8*  
WPF DR 01.0500 (9/01), RCW 26.09.175; 26.26.132(5)

**LORETTA M. FIORI, INC., P.S.**  
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3204 AUBURN WAY N.  
AUBURN, WASHINGTON 98002  
(253) 735-3400 FAX: (253) 735-2845

employment.

A parent who is required under this order to provide health insurance coverage is liable for any covered health care costs for which that parent receives direct payment from an insurer.

A parent who is required under this order to provide health insurance coverage shall provide proof that such coverage is available or not available within twenty days of the entry of this order to the physical custodian or the Washington State Support Registry if the parent has been notified or ordered to make payments to the Washington State Support Registry.

If proof that health insurance coverage is available or not available is not provided within twenty days, the obligee or the Department of Social and Health Services may seek direct enforcement of the coverage through the obligor's employer or union without further notice to the obligor as provided under Chapter 26.18 RCW.

### 3.19 EXTRAORDINARY HEALTH CARE EXPENSES.

The OBLIGOR shall pay 30% of extraordinary health care expenses (the obligor's proportional share of income from the Child Support Schedule Worksheet, line 6), if monthly medical expenses exceed 5% of the basic support obligation from Worksheet line 5.

Dated: 3/27/03

  
JUDGE/COURT COMMISSIONER

Presented by:

Approved for entry:

**LORETTA M. FIORI, INC., P.S.**

By: 

Loretta M. Fiori-Thomas  
WSBA #17146  
Attorney for Moving Party

  
Marilyn R. Gunther  
WSBA #27797  
Attorney for Non-Moving Party

ORDER OF CHILD SUPPORT - Page 7 of 8  
WPF DR 01.0500 (9/01), RCW 26.09.175; 26.26.132(5)

**LORETTA M. FIORI, INC., P.S.**  
A PROFESSIONAL LAW SERVICE CORPORATION  
3204 AUBURN WAY N.  
AUBURN, WASHINGTON 98002  
(253) 735-3400 FAX: (253) 735-2845

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[x] I apply for full support enforcement services from the DSHS Division of Child Support.

  
Jose Santiago

ORDER OF CHILD SUPPORT - Page 8 of 8  
WPF DR 01.0500 (9/01), RCW 26.09.175; 26.26.132(5)

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